

BOARD OF SELECTMEN MEETING  
THURSDAY, SEPTEMBER 20, 2012  
7:30 P.M.

Members present:    Francis A. Hegarty, Chairman  
                             Steven P. Rose  
                             Robert F. Brady, Jr.

Others present:       Michael McCue, Town Administrator  
                             Joseph Lalli, Town Counsel

Chairman Hegarty called the meeting to order at 7:30 p.m. with all members present.

Mr. Rose made a motion to accept the minutes of Tuesday, September 4, 2012 (Regular Session) as written. The motion was seconded by Mr. Brady. The motion carried.

Mr. Rose made a motion to accept the minutes of Tuesday, September 4, 2012 (Executive Session) as submitted. Mr. Brady seconded the motion. The vote was unanimous.

Mr. Rose made a motion to accept the minutes of Wednesday, August 8, 2012 (Joint meeting with Holbrook). Mr. Brady seconded the motion. The motion carried.

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to accept the minutes of Thursday, July 12, 2012 (Open Session) as submitted.

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve the minutes of Tuesday, September 11, 2012 (Joint meeting with Holbrook) as written.

At 7:35 p.m. ACES Coalition Coordinator Chris Delano appeared before the Board. Ms. Delano wanted to give the Board a brief update on ACES (Avon Coalition for Every Student).

Ms. Delano reported that the Town of Avon has been fortunate to have obtained a five (5) year \$625,000 federal Drug Free Communities Grant in 2009 that has allowed ACES to mobilize the community in an effort to reduce and prevent youth alcohol and drug use.

Ms. Delano stated that the community has already seen success rates as follows:

- (1) An increase in the number of students who have never tried alcohol from 26% in 2007 to 33% in 2011
- (2) Reduction of current alcohol use from a high of 47% in 2007 to 42% in 2011
- (3) Reduction of binge drinking from a high of 35% in 2007 to 24% in 2011
- (4) An increase in the perception of harm of marijuana, from 45% in 2009 to 58% in 2011
- (5) Cessation of sales of dangerous synthetic marijuana in an Avon convenience store

Ms. Delano reported that the Avon High School students have formed a successful group known as SALSA (Students Advocating Life without Substance Abuse). The group serves as role models to younger students and their peers.

Ms. Delano explained there is much more work to be done. The current DFC funding expires in September 2014. ACES need a fiscal vehicle whereby funds raised can be deposited. Ms. Delano is requesting that the Town assists ACES in setting up an account or some other fiscal structure by which ACES can continue the good work it has begun to benefit our youth and community.

Chairman Hegarty responded that setting up a 501(c) (3) non-profit status may be the best way to raise funds where donations would be tax deductible. A federal ID number would be required.

Ms. Delano also discussed the Medical Marijuana bill that will be a ballot question this November. The implications of this bill passing may allow marijuana dispensaries to be opened up in any community in Massachusetts. ACES would like to work with Town officials to set up a by-law restricting this type of establishment in Avon.

The Board thanked Ms. Delano for the update.

#### **PETITION OF NATIONAL GRID AND VERIZON COVERING JOINT NATIONAL GRID-VERIZON POLE LOCATIONS**

Mr. John Doherty of National Grid appeared before the Board.

The petition is to remove a pole to pole guy from P2 at the intersection of East High Street and Glendon Street over a customer's house at 269 East High Street. P2 will still require a guy. Massachusetts Electric is requesting to install an anchor for installation of a sidewalk guy.

The Board expressed its concern about the sidewalk remaining passable for the disabled given the location of the new guy.

Mr. Doherty explained there will be a 39 inch allowance in the sidewalk from the pole. National Grid will repair the sidewalk.

After some further discussion, Mr. Rose made a motion to approve the request from National Grid to install guy to Pole #2 on East High Street. Mr. Brady seconded the motion. All were in favor.

**REQUEST FOR STREET OPENING PERMIT FROM COLUMBIA GAS TO INSTALL GAS SERVICE AT 305 CENTRAL STREET**

Mr. Rose made a motion to approve the road opening at 305 Central Street to install gas service. Chairman Hegarty offered a friendly amendment to the motion reminding the Board that trench repairs are still needed to be completed on West High Street.

Mr. Rose amended the motion as follows: “to approve the road opening permit at 305 Central Street with the condition that it is understood that within the month of October trench repairs must be completed as requested on West High Street by Columbia Gas Co.”  
It was unanimously voted to approve the amended motion as previously stated.

**Chairman Hegarty made the following announcements:**

Senator Joyce will be holding office hours at the Avon Town Hall—Mary McDermott Meeting Room—on Tuesday, October 2, 2012 from 9:00 a.m. to 10:00 a.m. If anyone has an issue they would like to discuss with the Senator, please feel free to stop by. No appointment is necessary.

Register of Deeds William O'Donnell and members of his staff will be available to help answer questions or concerns about any Registry of Deeds matter on Thursday, October 25, 2012 from 10:00 a.m. to Noon in the Meeting Room at Avon Town Hall. No appointment is needed.

A request for a temporary sign permit was received from iParty Retail Stores Corp. at One Harrison Blvd. for a 6' x 20' vinyl banner advertising Halloween to be displayed from October 1, 2012 through November 1, 2012.

Mr. Rose made a motion to approve the temporary sign permit for iParty Retail Stores Corp. at One Harrison Blvd. with the condition that the Town secures permission from the property owner before the banner is put up. Mr. Brady seconded the motion. All were in favor.

A temporary sign permit application was received from Affordable Furniture To Go to display one (1) 4' x 8' banner advertising a fall sale.

Mr. Rose made a motion to approve the temporary sign permit for Affordable Furniture To Go with the condition that a signed letter of permission is received from the property owner. Mr. Brady seconded the motion. The motion carried.

October meetings were announced as follows:

Thursday, October 4, 2012 at 7:30 p.m.  
Thursday, October 18, 2012 at 7:30 p.m.

At 8:05 p.m. Planning Board members Charles Comeau, Dolores Daigle and Robert Pillarella appeared before the Board.

Mr. Comeau asked the Board about roads in Avon and what roads we could take ownership of this year. The Board discussed private roads, accepted streets, streets that are not completed, etc. Mr. Pillarella asked about the condition of the roads and who would evaluate this? Mr. Pillarella asked about ownership of roads. How do we research this and how much work would be required to bring some of the roads up to standard?

Mr. Rose stated that someone has to make an assessment of the roads—take assessments and the Planning Board would come back to the Board with a proposal that the Board could review. The question came up: “can this be done before the snow plows are out”? After further discussion, it was agreed that the Planning Board would be placed on the next Board’s agenda of October 4<sup>th</sup> at 8:00 p.m. with a proposal ready.

### **87 and 95 Pond Street—Revised Plans**

Mr. McCue presented to the Board the recommendations from Tibbetts Engineering/George Mello, based on Paolini’s reconstruction cost estimates regarding revised plans for access/slope complaint improvements at 87 Pond Street and 95 Pond Street.

Mr. Mulvaney and Mr. Mahoney were in attendance at the meeting.

The Board discussed the recommendations for 87 Pond Street and 95 Pond Street. After further questioning and review of the proposals, Mr. Rose made a motion to approve the extra work as outlined for 87 and 95 Pond Street. Mr. Brady seconded the motion. The motion carried.

At 8:45 p.m., Mr. Mahoney and Mr. Mulvaney departed.

Mr. Rose made a motion to approve all vouchers for the payment of bills as submitted. Mr. Brady seconded the motion. All were in favor.

### **TOWN ADMINISTRATOR’S REPORT**

Mr. McCue briefly discussed “Our Common Place” a civic technology organization made up of young people working hard to use the tools of the internet to revitalize the spirit of local community engagement in towns and cities across the United States. Mr. McCue informed the Board that he would forward the basic information regarding this company to the Board for review.

Mr. McCue reported that the 44 double poles existed in Avon, despite a report from National Grid that most are being held up by the Avon Fire Department; only 3 remain with Fire

Department equipment and these will be addressed. Mr. McCue forwarded this information to National Grid.

At 8:55 p.m. Mr. Rose made a motion to enter Executive Session to discuss possible litigation. Mr. Brady seconded the motion.

A roll call vote was taken:

Mr. Rose voted aye  
Mr. Brady voted aye  
Chairman Hegarty voted aye

The Board would not reconvene in Open Session.

Respectfully submitted,

Miriam Rothstein  
Secretary

**Exhibits:**

Board of Selectmen Regular Session minutes of September 4, 2012 (Tuesday)  
Board of Selectmen Executive Session minutes of September 4, 2012 (Tuesday)  
Minutes of Wednesday, August 8, 2012 (Joint meeting with Holbrook)  
Thursday, July 12, 2012 (Open Session)  
Tuesday, September 11, 2012 (Joint meeting with Holbrook)  
National Grid and Verizon petition covering pole locations (East High Street)  
Request for Street Opening Permit from Columbia Gas at 305 Central Street  
Temporary sign application for iParty Retail Stores Corp. at One Harrison Bvd.  
Temporary sign application for Affordable Furniture to Go